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Letter dated 4 August 2008 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the concept paper for the open debate of the Security Council on the implementation of the measures set out in the annex to the note by the President of the Council dated 19 July 2006 (S/2006/507) (see annex). The debate is to be held on 27 August 2008.

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jan **Grauls**
Ambassador
Permanent Representative of Belgium
to the United Nations

08-45298 (E) 070808

Annex to the letter dated 4 August 2008 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

Open debate on the implementation of the measures set out in the note by the President of the Security Council (S/2006/507)

Concept paper by the Belgian Presidency of the Security Council

The note by the President of the Security Council (S/2006/507) was issued as part of the efforts of the Council to enhance the efficiency and transparency of its work, as well as interaction and dialogue with non-Council members. In this regard, the members of the Council committed themselves to implement the 63 measures described in the annex to the note.

The purpose of the open debate scheduled for 27 August 2008, two years after the issuance of S/2006/507, is to assess the implementation of the measures set out in the annex to that note, identifying both the improvements achieved in terms of efficiency, transparency and interaction and the challenges that still need to be tackled.

Bearing in mind that the Council acts on behalf of all Member States, all efforts made regarding the improvement of its working methods are worth considering in depth. However, in order to have a constructive and operational discussion, the debate could be centred on those measures presented in the note with the most impact on non-Council members. In this respect, interventions could focus on the implementation of concrete measures in three specific and interrelated fields: transparency, interaction with non-Council members and efficiency.

Transparency

Since the issuance of S/2006/507, considerable progress has been made in the implementation of provisions meant to increase the Council's transparency. The monthly programme of work and the monthly forecast are made available on the Security Council website and are consistently updated (para. 37). Briefings by the Council presidency to non-Council members at the beginning of each presidency have become common practice (para. 4).[1] Formal Council meetings, as well as informal consultations, are consistently announced in the *Journal of the United Nations*. The *Journal* also announces meetings of subsidiary organs on a more regular basis than in the past (para. 47). As far as the format of meetings is concerned, the trend of the 1990s of systematically moving away from public meetings — until then the norm — and towards private consultations has been stemmed.

Challenges remain. A particular challenge with a direct impact on the wider membership is the Council's decision on the most appropriate format in which a

[1] Since the issuance of S/2006/507, 10 incoming presidencies have organized meetings in the United Nations building, announced in the *Journal of the United Nations*, to brief non-members on the monthly programme of work.

discussion should take place.[2] The importance of private consultations as an indispensable tool to facilitate prompt and timely decisions is clear. This, however, takes nothing away from rule 48 of the provisional rules of procedure, which states that "unless it decides otherwise, the Security Council shall meet in public". In the annex to S/2006/507, paragraph 26, the members of the Council therefore reaffirmed their commitment to increase recourse to open meetings. In line with this commitment, and in order to give a renewed impetus to public meetings, more reflection on how to make better use of public meetings — and how to keep them from being needlessly formalistic and excessively long — would be useful. A clear understanding of the rationale for the adoption of a specific format, as well as the objectives intended for each meeting, could prove particularly useful in enhancing both efficiency and transparency. These two equally important objectives should complement — not collide with — each other.

Other measures related to transparency that may be of particular interest are presented in paragraph 43, on the availability to non-Council members of draft Council decisions, and paragraph 47, on transparency as to the scheduling of meetings of the Council's subsidiary bodies.

Interaction

Decisions by the Council on format are one of a range of elements that influence the Council's interaction with the wider membership. In the annex to S/2006/507, paragraph 42, the members of the Council expressed their commitment to informally consult with the broader United Nations membership, in particular interested Member States, including countries directly involved or specifically affected, neighbouring States and countries with particular contributions to make, as well as with regional organizations and groups of friends, when drafting, inter alia, resolutions, presidential statements and press statements, as appropriate.

Since the issuance of S/2006/507, some prudent progress has been made in this regard. In public meetings, it has become more common for countries directly concerned to take the floor before Council members (para. 29).[3] Subsidiary bodies of the Council more often seek the views of Member States with a strong interest in their areas of work (para. 46).[4] There is at least an impression that regional and subregional organizations are more regularly invited to participate in Council

[2] In the period from 19 July 2006 (issuance of S/2006/507) to 31 December 2006, consultations constituted 44.1 per cent, public meetings 51.3 per cent and private meetings 4.5 per cent of all "meetings". In 2007, consultations constituted 45.6 per cent, public meetings 51.2 per cent and private meetings 3.2 per cent. In the first six months of 2008, consultations made up 41.4 per cent, public meetings 55.5 per cent and private meetings 3.1 per cent. In these figures, meetings with troop-contributing countries are not included (12, 20 and 7 such meetings in the above-mentioned periods, respectively).

[3] In the period from 19 July 2006 (issuance of S/2006/507) to 31 December 2006, Council members spoke before directly concerned non-members in 14 out of 29 meetings. In 2007, Council members did so in 27 out of 37 meetings. During the first six months of 2008, however, Council members spoke first in only 9 out of 34 meetings.

[4] Since the issuance of S/2006/507, the Council's sanctions Committees have extended invitations to 23 States with a special interest in, or especially affected by, the work of those subsidiary bodies, and have subsequently exchanged views with 12 of those States during meetings of the Committees. In one instance, the relevant Committee requested its Monitoring Group to provide States adequate time and opportunity to respond to and verify information collected by the Group.

meetings and in the Council's activities (para. 42).[5] Access to the Council for Member States with specific responsibilities in the Peacebuilding Commission has considerably improved, a measure not addressed in the annex to S/2006/507. Mechanisms have also been put in place that allow for meetings between the Council and countries that make particular contributions.

However, also in this field, important challenges remain. In the annex to S/2006/507, paragraph 50, the members of the Council expressed their intention to seek the views of Member States that are parties to a conflict and/or other interested and affected parties. In line with this intention, and as mentioned in paragraphs 46 and 50, more reflection could be useful, in particular on how to make better use of the existing format of private meetings.

Efficiency

The ever-growing workload of the Council and its subsidiary organs is a challenge for the capacity of Council members, as well as that of the United Nations Secretariat. This should encourage the Council to continuously reflect on measures to improve its efficiency. Such measures are mainly internal housekeeping rules. Some of them, however, also have direct consequences for non-Council members. In this field, considerable progress has been made since the publication of S/2006/507. The consistent notification in the *Journal* of the timing and agenda of formal meetings and closed consultations increases the predictability of the Council's work. The same applies to meetings of the Council's subsidiary organs. The more efficient and predictable the Council's work, the better non-Council members can anticipate upcoming decisions (which often require follow-up by non-Council members) or prepare their input (such as in the case of an open debate).

Also in this area, challenges remain. The provisions of paragraph 27, for example, on the length of statements during public meetings, by both Council members and non-Council members, is rarely implemented.

The efficiency of the Council's work is to a large extent related to the reports prepared by the Secretary-General. In this regard, while the Secretariat deserves credit for diligently implementing several recommendations contained in the annex to S/2006/507, the timely circulation of all reports is of particular relevance to the Council's efficiency. In paragraph 11 Council members agreed that reports should be circulated to Council members as well as to other participants in Council meetings, including meetings with troop-contributing countries, and made available in all official languages at least four working days before the Council is scheduled to consider them. Full and consistent implementation of this provision is in the common interest of both Council members and non-Council members.

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[5] Consultation and cooperation between the members of the Council and the members of the African Union Peace and Security Council have expanded and diversified considerably since the issuance of S/2006/507, including through two joint meetings held by the members of both bodies (16 June 2007 and 17 April 2008). Representatives of regional and subregional organizations have been invited to participate in a number of thematic and subject debates held by the Council, and communications addressed to the Council President by such organizations have regularly been circulated to Council members in connection with their consideration of specific agenda items. Council members have also increasingly consulted regional and subregional organizations during Security Council missions to the field.